

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE OPTICAL DISK DRIVE PRODUCTS
ANTITRUST LITIGATION

MDL No. 2143

CASE NO. 3:13-cv-1877-RS

This document relates to:

STATE OF FLORIDA, OFFICE OF THE
ATTORNEY GENERAL, DEPARTMENT
OF LEGAL AFFAIRS,

Plaintiff,

v.

HITACHI-LG DATA STORAGE, INC., et al.

Defendants.

**STIPULATION AND ~~PROPOSED~~
ORDER REGARDING DEFENDANTS'
RESPONSES TO THE STATE OF
FLORIDA'S AMENDED COMPLAINT
FOR DAMAGES, CIVIL PENALTIES,
INJUNCTIVE RELIEF**

1 WHEREAS, on October 15, 2013, this Court entered the Joint Stipulation and Order
 2 Regarding Service of Process (*see* Dkt. No. 1019), which set deadlines for Defendants to file their
 3 responses to the Amended Complaint for Damages, Civil Penalties, Injunctive Relief filed by the
 4 State of Florida, Office of the Attorney General, Department of Legal Affairs (“Florida
 5 Complaint”);

6 WHEREAS, the deadlines set forth in the above-referenced Order provide for two
 7 different response dates for the various Defendants—January 13, 2014 for certain Defendants, and
 8 the later of January 13, 2014 or 90 days from receipt of the Florida Complaint delivered in the
 9 manner stipulated, for other Defendants;

10 WHEREAS, the parties agree that a single date for all Defendants to respond to the
 11 Florida Complaint promotes efficiency and, thus, is preferable, and have agreed that Defendants
 12 should have until January 24, 2014 to file an answer or otherwise respond to the Florida
 13 Complaint;

14 WHEREAS, to the extent any Defendant or Defendants move to dismiss the Florida
 15 Complaint on that date, under Federal Rule of Civil Procedure 12 or otherwise, the parties propose
 16 that Florida shall have until February 21, 2014 to file a response to any such motions and the
 17 moving Defendants shall have until March 3, 2014 to file any replies in support of such motions.

18 WHEREAS, to the extent any Defendant or Defendants move to dismiss, in whole or in
 19 part, the Florida Complaint pursuant to Federal Rule of Civil Procedure 12 or otherwise on
 20 January 24, 2014, the undersigned parties agree that those moving Defendants shall not be
 21 required to file an answer to the Florida Complaint, if at all, until after the Court rules on any such
 22 motion. The parties agree to negotiate in good faith and submit to the court a schedule for any
 23 such moving Defendants to file an answer, if necessary.

24 NOW, THEREFORE, IT IS HEREBY STIPULATED, by and between the undersigned
 25 counsel for the parties, and subject to Court approval, that all Defendants shall have until Friday,
 26 January 24, 2014 to file their responses to the Florida Complaint. To the extent any Defendant or
 27 Defendants move to dismiss that Complaint, in whole or in part, on that date, (i) Florida shall
 28 have until February 21, 2014 to file a response to any such motions, and Defendants shall have

1 until March 3, 2014 to file any replies in support of such motions; (ii) those moving Defendants
2 shall not be required to file an answer to the Florida Complaint, if at all, until after the Court rules
3 on any such motion; and (iii) the parties shall work in good faith to agree upon and submit to the
4 court a schedule for any such moving Defendants to file an answer, if necessary.

5
6 IT IS SO STIPULATED.

7 DATED: January 9, 2014

STATE OF FLORIDA

8
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19 DATED: January 9, 2014

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17 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

18
19 DATED: 1/10/14


20 HONORABLE RICHARD S. LEBORG
21 UNITED STATES DISTRICT COURT JUDGE

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